



THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF THE ATTORNEY GENERAL

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June 6, 2016

Eva K. Szkaradek, Town Clerk
Town of Acton
472 Main Street
Acton, MA 01720

**RE: Acton Annual Town Meeting of April 4, 2016 - Case # 7895
Warrant Articles # 29, 30 and 31 (Zoning)**

Dear Ms. Szkaradek:

Articles 30 and 31 - We approve Articles 30 and 31 from the April 4, 2016 Acton Annual Town Meeting.

Article 29 - We retain for further review the amendments adopted under Article 29. We will issue our decision on Article 29 on or before our deadline of July 21, 2016.

Note: Pursuant to G.L. c. 40, § 32, neither general nor zoning by-laws take effect unless the Town has first satisfied the posting/publishing requirements of that statute. Once this statutory duty is fulfilled, (1) general by-laws and amendments take effect on the date these posting and publishing requirements are satisfied unless a later effective date is prescribed in the by-law, and (2) zoning by-laws and amendments are deemed to have taken effect from the date they were approved by the Town Meeting, unless a later effective date is prescribed in the by-law.

Very truly yours,

MAURA HEALEY
ATTORNEY GENERAL

Nicole B. Caprioli

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cc: Town Counsel Stephen D. Anderson



TOWN CLERK

A TRUE COPY, ATTEST:

Eva K. Szkaradek

TOWN CLERK, ACTON, MA

TOWN OF ACTON

472 MAIN STREET

ACTON, MASSACHUSETTS, 01720

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EXCERPT OF THE ANNUAL TOWN MEETING HELD

MONDAY, APRIL 4, 2016, 7:00 P.M.

ACTON-BOXBOROUGH REGIONAL HIGH SCHOOL AUDITORIUM

WITH ADJOURNED SESSION HELD APRIL 5, 2016

Article 30 **Amend Zoning Bylaw – Regulation of Common Drives**
(Two-thirds vote)

To see if the Town will amend the Zoning Bylaw Section 3.8 – ACCESSORY USE Regulations, by deleting subsections 3.8.1.5 a), b), f), and m) and replacing them, respectively, as follows:

- a) All curb radii and radii of pavement edges shall be designed to accommodate SU-30 design vehicles (fire engine). In determining the adequacy of the radii at the Common Drive intersection with a STREET, it shall be assumed that on all streets a turn shall be possible without obstructing oncoming traffic.
- b) There shall be a turn around for fire and other emergency vehicles (SU-30 design vehicle) for Common Drives that are 600 feet or longer, and there shall be one additional turn around for each additional 600 feet of driveway length beyond the first 600 feet.
- f) The Common Drive shall be laid out entirely within an ACCESS and utility easement that is at least 24 feet wide.
- m) There shall be a minimum 4 foot wide shoulder on each side that is free of obstructions such as trees or utility poles. The shoulder shall be prepared with a minimum of 2 inches of topsoil over the same gravel base as the wear surface, and seeded.

[Note – Subsection 3.8.1.5. a), b), f), and m) currently read:

- a) *All curb radii and radii of pavement edges shall be designed to accommodate SU-30 design vehicles (fire engine). In determining the adequacy of the radii at the Common Drive intersection with a STREET, it shall be assumed that on local STREETS the entire pavement width is available for turns, whereas on collector and arterial STREETS a turn shall be possible without obstructing oncoming traffic (local, collector and arterial STREETS as defined in the Acton Subdivision Rules and Regulations).*
- b) *There shall be a turn around for fire and other emergency vehicles (SU-30 design vehicle) at the end of the Common Drive.*
- f) *The Common Drive shall be laid out entirely within an ACCESS and utility easement that is at least 20 feet wide.*
- m) *There shall be a minimum 3 foot wide shoulder on each side free of obstructions such as trees or utility poles. The shoulder shall be prepared with 3-4 inches of topsoil over the same gravel base as the wear surface, and seeded.]*

, or take any other action relative thereto.

MOTION: Mr. Clymer moves that the Town adopt the Zoning Bylaw amendments as set forth in the Article.

MOTION CARRIES UNANIMOUSLY



TOWN CLERK

A TRUE COPY, ATTEST:

Eva K. Szkaradek

TOWN CLERK, ACTON, MA

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Article 31 * Amend Zoning Bylaw – Definition of ‘Family’
(Two-thirds vote)

To see if the Town will amend the Zoning Bylaw, Section 1 (Definitions) as set forth below:

Delete Subsection 1.3.6 – FAMILY, in its entirety and replace it with the following new Subsection:

1.3.6 FAMILY: For the purposes of this Zoning Bylaw a FAMILY shall be a person or number of persons occupying a DWELLING UNIT and living as a single household unit.

[Note – Section 1.3.6 currently reads:

1.3.6 FAMILY: A person or number of persons occupying a DWELLING UNIT and living as a single housekeeping unit, provided that a group of six or more persons shall not be deemed a FAMILY unless at least half of them are related by blood, marriage or adoption, including wards of the state.]

, or take any other action relative thereto.

MOTION: Ms. Green moves that the Town adopt the Zoning Bylaw amendments as set forth in the Article.

CONSENT MOTION CARRIES UNANIMOUSLY